

Applicants do not traverse the lack of unity of invention holding concerning Groups XXIII and XXIV in relation to Groups I-XXII. However, applicants request that the restriction requirement be modified in that Groups I-XXII be rejoined. Applicants respectfully submit that Groups I-XXII have unity of invention because the subject matter of Groups I-XXII share the same or corresponding special technical features. Groups I-XXII share the same or corresponding special technical features in that they are directed to:

(a) phospholipids of formula (I) having an apolar portion comprising alkyl or acyl chains with one or two cis C=C bonds **located at positions which do not occur in naturally occurring mono- and diunsaturated fatty acids** (see page 6, lines 4-7 and page 8, lines 8-9 of the specification; and also see formula (VIII) or (IX) and at least one of R₁ and R₂ being a radical of the formula X, XI, XII or XIII under A in claim 1, where A represents the apolar portion of the phospholipids);

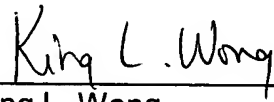
(b) liposomes comprising such phospholipids; and

(c) compositions comprising such phospholipids or liposomes.

The special technical feature is a phospholipid of formula (I) having an apolar portion comprising alkyl or acyl chains with one or two cis C=C bonds located at positions which do not occur in naturally occurring mono- and diunsaturated fatty acids. Applicants submit that phospholipids of formula (I) having an apolar portion comprising alkyl or acyl chains with one or two cis C=C bonds located at positions which do not occur in naturally occurring mono- and diunsaturated fatty acids are novel over the prior art. Phospholipids of the prior art have naturally occurring mono- or diunsaturated fatty acid side chains. If the compounds of claim 1 are patentable, the liposomes containing

these compounds and the compositions comprising these liposomes or compounds should also be patentable. Thus, Groups I-XXII should be combined because they relate to a single general inventive concept under PCT Rule 13.1.

Respectfully submitted,



King L. Wong
Registration No. 37,500

Customer No. 004372
Atty. Dkt. No. 100564-00067
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W.,
Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810
KLW:elp
Enclosure: Petition for Extension of time